IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9804 of 2005

Between:

1 Sai Srinivasa Video Games, D.No.25-277, Lalitha Enclave, Subbaiah, Thota, Chilakaluripet,
Guntur District, rep.by its Prop. T.Srinivasa Reddy, S/o.T.Jagga Reddy,
2 Durga Bhavani Video Games, D.NO.11/608,Dasari Colony, Pedanandipadu Road,, Chilakaluripet,
Guntur District, rep.by its Prop. R.V.Hanumantha Rao,
S/o.R.Rama Murthy.

..... PETITIONERS

AND

1 Superintendent of police, Guntur District, Guntur.
2 The S.H.O., Town, P.S., Chilakaluripeta, Guntur Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ, order or direction, more particularly a writ of Mandamus declaring the action of the respondents in interfering with the petitioners video games shops and for prosecuting that for not possessing the licenses to run the said video games shops under the Andhra Pradesh Gaming Act, 1974 as illegal, arbitrary, unconstitutional and to pass appropriate orders ad to pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.V.PADMANABHA RAO

Counsel for the Respondent No.: GP FOR HOME

The Court at the stage of admission made the following :

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ORAL ORDER:

Heard both sides.

This court disposed of Writ Petition No. 16596 of 2003 and other similar cases, with certain observations and giving certain directions. Following the order in Writ Petition No. 16596 of 2003, present Writ Petition is also disposed of with the following observations and directions:

1. The petitioners who are running the games center for playing video games are not required to take out any licence under the A.P. Gambling Act,

2. It is not suggested that the licence is required under the Provisions of any other Act,

3. The respondent-Police Officers have no power to interfere with the running of centers for playing video games on the electronic equipment on the ground that the petitioners do not possess the licence and

4. If it is felt that the petitioners have contravened any of the provisions of the A.P. Gambling Act, it is open for the authorities to take action to prosecute the petitioners.

ELIPE DHARMA RAO,J

DATED: 27.04.2005

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To

1 Superintendent of police, Guntur District, Guntur.
2 The S.H.O., Town, P.S., Chilakaluripeta, Guntur Dist.

3. Two CCs to G.P. for Home, High Court of A. P. Hyderabad (OUT)

4. Two CD copies.